

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.351 OF 2015
IN
WRIT PETITION NO.5978 OF 2014**

Rajendraprasad Jhunjhunwala

..Applicant

Vs.

The Divisional Joint Registrar & Ors.

..Respondents

Mr. Rajeev Cawalho i/b Mr. Yogesh Adhia for the Applicant

Mr. S. D. Rayrikar APG for the Respondent Nos.1, 2 & 7

Ms Sanika Mehra i/b L. J. Law for the Respondent No.4

Mr. Aditya Shiralkar with Mr. Rahul Kedar i/b Mr/ Shivalkar & Co. for the Respondent No.5

Mr. Gautam Ankhad with Mr. Tushar Gujjar i/b Solicis Lex for the Respondent No.3

CORAM : R. M. SAVANT, J.

DATE : 10th APRIL, 2015

P.C.

1 The above Civil Application has been filed seeking amendment to the Writ Petition in terms of the schedule to the above Civil Application. The above Petition is pending admission and it is pending admission that the amendments are sought.

2 On behalf of the Respondent No.3 society the amendment sought is being questioned on the ground that the Petition itself is not maintainable. In my view it is not necessary for this Court to go into the said aspect at this stage when the Petition is pending admission, more so since the amendment sought is at the pre-admission stage, the Respondent No.3 society can

obviously file its Affidavit in Reply raising such contentions as are available in law in respect of the amended Petition. The Civil Application is accordingly allowed in terms of prayer clause (a). In so far as prayer clause (b) is concerned, it is not necessary for this Court to consider the same at this stage and would consider the same when the Petition is heard for admission. The Petitioner to carry out the amendment on or before 18-4-2015. The concerned, Respondents to file their affidavits in reply by 27-4-2015. List the Petition for admission on 29-4-2015. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]